

REMARKS

Claims 1, 2, 7, 8 and 22 are now pending in the application with the present amendments. All of the pending claims are readable on elected Species I (illustrated in FIG. 3). Continued examination of the pending claims is respectfully requested in view of the amendments presented herein.

While applicants have reluctantly amended claim 1 in response to the examiner's objection, there is no intent of the amendment to alter the meaning of claim 1. Paragraphs [0026] and [0033] of the specification highlight the fact that a base dose implant and a second dose implant are merely minimum requirements of the invention and that the invention recited in claim 1 can also be practiced using multiple base dose implants, multiple second dose implants or both. The invention recited in claim 1 does not exclude coverage of a SIMOX method which includes more than one of either the base dose implant, the second dose implant or both. Indeed, claim 1 continues to be generic to the cancelled claims which expressly recite more than one of either type of implant, among which are claims 21 and 23-26 cancelled by the amendment dated August 20, 2005. Claim 1 also continues to be generic to the subject matter of claims 9-20 (cancelled by amendment filed May 9, 2005) which recite multiple base dose implants. When claim 1 is allowed in this application, the application may be amended to again claim the subject matter of the cancelled claims.

In view of the amendments and remarks herein, it is believed that the matters expressed in the Office Communication have been satisfactorily addressed, and that all claims of the application are now in condition for allowance. However, if for any reason the Examiner does not believe that such action can be taken at this time, the Examiner

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is requested to telephone the applicants' attorney at the number indicated below to discuss any issues that may remain.

It is believed that no fee is due in connection with the filing of this Amendment. However, if any fee is due, authorization is granted to debit the Deposit Account No. 09-0458 of the Assignee. If there is an overpayment, please credit the same account.

Respectfully submitted,
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